

**AFSCME MEF/CEO AND CITY OF SAN JOSE  
MEF & CEO JOINT BARGAINING CONTRACT NEGOTIATIONS 2015**

**AFSCME PROPOSAL – PART TIME EMPLOYEES**

Proposal for MEF and CEO. Upon adoption, language changes will be made in appropriate Articles, or a separate portion of the MOA shall be dedicated entirely for Part-Time employees.

**PART TIME EMPLOYEES:**

Part-time employees shall be defined as any employee that works less than a thirty-four (34) hour week, or the equivalent of 1768 hours per calendar year.

Part-time benefited employees shall be defined as any employee that works less than a thirty-four (34) hour week, or the equivalent of 1768 hours per calendar year, and more than a twenty (20) - hour week, or the equivalent of 1040 hours per calendar year.

All part-time employees that are currently benefited shall continue to receive benefits. These are part-time employees that exceed a twenty (20)-hour work week, or the equivalent of 1040 hours per calendar year. Part-time benefited employees will be eligible to be offered the City health insurance at the 85:15 cost split. They will also be able to opt for other plans at the respective increased prices.

Should any part-time employee not wish to participate in the health benefit, they will receive payment in-lieu for the percentage time they are employed, e.g. 62.5% time. For example, they will receive 62.5% of the amount listed under Payment-in Lieu of Health and Dental Insurance Article in the MOA.

Part-time benefited employees are eligible for overtime pay at the rate of 1-1/2 times of the employees' hourly rate if the employee works over eight (8) consecutive hours in the same assignment unless they are regularly assigned to a ten (10) hour shift, or over their defined hours in a pay period.

For the purposes of part-time benefited hours calculations, overtime hours will not count towards the yearly calculations for hours worked in their classification.

Part-time unbenefited employees shall be defined as any employee that works less than a twenty (20) hour week, or the equivalent of 1040 hours per calendar year.

For part-time unbenefited employees, should they exceed hours mandated by the ACA to be offered an employer-sponsored, i.e. City, health plan, then the respective part-time employee will be offered a City plan. Should they decline and remain enrolled in ACA and/or enroll for an ACA plan, then they must provide proof of insurance under ACA.

Part-time unbenefited employees are eligible for overtime pay at the rate of 1-1/2 times of the employees' hourly rate if the employee works over eight (8) consecutive hours in the same assignment, unless they are regularly assigned to a ten (10) hour shift, or over forty (40) hours in a pay period.



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For the purposes of part-time unbenefited hours calculations, overtime hours will not count towards the yearly calculations for hours worked in their classification.

The City of San Jose discipline policy will be applicable for part-time un-benefited that have worked for the City for five (5) calendar years or more. The procedure is described in the Discipline Policy, contained in the City Policy Manual. When the need for disciplinary action arises, disciplinary action will be taken commensurate with the seriousness of the offense.

All part-time employees, benefited and unbenefited that have worked for the City for five (5) calendar years or more, shall have full property right to their jobs, and have access to the Discipline and Layoff Articles. They shall no longer be considered "at will" employees.

All part time employees shall be assigned a work schedule with a minimum of two (2)-weeks advance notice.

Schedule changes may occur with less than two (2) –weeks' notice, provided both the employee and employer mutually agree to the change.

